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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/605,556	10/08/2003	Larry L. Chrisco	33383	2555

23589 7590 11/16/2004

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EXAMINER

SICONOLFI, ROBERT

ART UNIT PAPER NUMBER

3683

DATE MAILED: 11/16/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 10/605,556	<b>Applicant(s)</b> CHRISCO ET AL.	
	<b>Examiner</b> Robert A. Siconolfi	<b>Art Unit</b> 3683	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-36 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-36 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>20040206</u> . | 6) <input type="checkbox"/> Other: ____.  |

### **DETAILED ACTION**

1. Information Disclosure Statement filed on 2/6/04 has been received.

#### ***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-3, 5-8, 10, 13, 14, 16-18, 20-23, 25-35 are rejected under 35 U.S.C. 102(b) as being anticipated by Rehkopf et al (U. S. Patent no. 3,819,138).  
See figures leading edge 16, side walls 14, rear wall 20, wheel supporting surface 22, embossed rim 12, open face on bottom, support legs 17 on each side of chock with gusset running between them parallel to surface 22

#### ***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claim 4, 9, 11, 12, 15, 19, 24, and 36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rehkopf et al in view of Luigi et al (U. S. Patent no. 4,476,961).

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Regarding claim 4, Rehkopf et al is relied upon as above. Rehkopf et al does not disclose a rib for engaging the wheel. Luigi et al teaches a rib for engaging the wheel (rib 8). It would have been obvious to one of ordinary skill in the art at the time the invention was made to have a rib for engaging the wheel as taught by Luigi et al in the chock of Rehkopf et al in order to better hold the wheel from rotating.

Regarding claims 9, 15 and 19, Rehkopf et al is relied upon as above. Rehkopf et al does not disclose a barb. Luigi et al teaches a barb (barb 11). It would have been obvious to one of ordinary skill in the art at the time the invention was made to have barb as taught by Luigi et al in the chock of Rehkopf et al in order to prevent the chock from slipping.

Regarding claims 11 and 24, Rehkopf et al is relied upon as above. Rehkopf et al does not disclose a handle. Luigi et al teaches a handle (handle 2). It would have been obvious to one of ordinary skill in the art at the time the invention was made to have a handle as taught by Luigi et al in the chock of Rehkopf et al in order to provide a convenient means of holding and moving the chock.

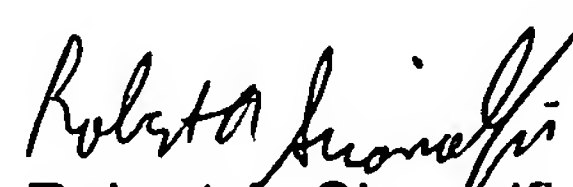
Regarding claim 36, Rehkopf et al is relied upon as above. Rehkopf et al does not disclose the specific dimension claimed. It would have been obvious to one of ordinary skill in the art at the time the invention was made to have Rehkopf et al be any dimension at all since it is merely a design choice.

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6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Robert A. Siconolfi whose telephone number is 703-305-0580. The examiner can normally be reached on M-F 10 am-3 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jack Lavinder can be reached on (703) 308-3421. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

 8/20/04  
Robert A. Siconolfi  
Examiner  
Art Unit 3683

RS